

The Honorable Robert S Lasnik
Noting Date 4/5/2013

**UNITED STATES DISTRICT COURT,
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

James McDonald

Plaintiff

No. C10-1952-RSL

v.

**OneWest Bank, FSB,
Northwest Trustee Services,
Mortgage Electronic Registration Systems,
Defendants.**

Declaration of James McDonald in Support
of Plaintiff's Opposition to OneWest's
Motion to Conduct Expert Discovery

James McDonald declares as follows:

1. I am the Plaintiff in the above action and am over the age of 18. Until September of 2012, I acted in the capacity of *pro se* in this litigation. I have direct, personal knowledge of the events described herein.
2. On July 13, 2011, I met with the counsel for the Defense, Heidi Buck-Morrison, at her office located in Bellevue, Washington. Ms. Buck-Morrison allowed me to inspect the document she represented to be the original note. After my careful inspection of the document, I promptly conveyed to Ms. Buck-Morrison my belief that the document is not the document I signed at closing. The note appeared to be in Ms. Buck-Morrison's possession at that time.
3. The defendants, through their attorneys, keep filing more and more documents and declarations with the Court to strengthen their representation that the document currently in their possession is the genuine article. January 31, 2013, was the first time

Declaration of James McDonald in
Support of Plaintiffs Opposition to
OneWest's Motion to Conduct
Expert Discovery

HA THU DAO, ESQ.

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1 that I heard Mr. Charles Boyle, vice president of OneWest, testified that copies of
2 original notes were made at origination and “endorsed”.

3 4. I later learned that the note was transferred to the law firm of Larkins Vacura but I
4 don’t know when that transfer occurred.

5 5. I have no way of verifying the veracity of the defendants’ representations concerning
6 the transfer, negotiation or maintenance of the note. It is fair to say that I am suspicious
7 of what they say as so many of their representations turned out to be untrue.

8 I declare under the penalty of perjury under the laws of the State of Washington that the
9 foregoing is true and correct to the best of my knowledge. This declaration was executed on
10 the 26th day of March, 2013.

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12 /s/ James McDonald -
13 James McDonald
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Declaration of James McDonald in
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